

SIXTH REPORT OF THE IMPLEMENTATION MONITOR

EXECUTIVE SUMMARY

INTRODUCTION

Since my Fifth Report to the Board of Supervisors last month, most of the Department's efforts have been directed to working with the Chief Executive's Office to finalize the plans for the Custody Division Training Bureau (to implement or further implement Recommendations 5.2, 5.3, 5.8 and 6.3 of the Citizens' Commission on Jail Violence (the "Commission")); supporting and submitting its funding requests to the Chief Executive's Office for additional investigators for the Internal Affairs Bureau ("IAB") and the Internal Criminal Investigative Bureau ("ICIB") (Recommendations 7.1, 7.6, 7.9); supporting its requests for funding for seven Compliance Lieutenants (Recommendations 3.10, 7.8, 7.9), assessing the supervisory needs for the Custody Division (Recommendation 6.5); and creating the framework and the timeline for a new Inspectional Services Command (Recommendation 4.12).

In the most recent period, the Department has partially implemented another two of the Commission's recommendations that involve the Deputy Sheriff to Custody Assistant ratio and (6.7) and improving the inmate grievance process (7.14).

As reflected in the chart below, the Department has now implemented 31 of the Commission's 60 recommendations directed to the Department. It has partially implemented another 17 and is in the process of implementing another 12.¹

¹ The Appendix attached to this summary reflects the implementation status of each of the recommendations as of my Second Report (January 22, 2013), my Third Report (February 12, 2013), my Fourth Report (March 12, 2013), my Fifth Report (April 9, 2013), and my Sixth Report (May 14, 2013).

Category	Implemented	Partially Implemented	In progress	Not started	Total
Use of Force	4	5	3	0	12
Management	11	0	3	0	14
Culture	5	3	0	0	8
Personnel and Training	5	4	1	0	10
Discipline	5	5	5	0	15
Oversight	1	0	0	0	1
Total	31	17	12	0	60

USE OF FORCE

Although the status of the Department’s implementation of the Commission’s Use of Force Recommendations is largely unchanged, the revisions of the Use of Force Manual (the “Force Manual”) to make it clearer and more “user-friendly” are substantially complete. It has, however, taken longer to complete the process than I anticipated since the Department needed to undertake further reviews before seeking final approvals by the Sheriff and the Assistant Sheriffs. The revisions to the Force Manual will complete the implementation of another five use of force recommendations (and another two disciplinary recommendations). The Department will then have a readily accessible, easier to use Force Manual that includes the Force Prevention Policy, the Anti-harassment Policy, the objectively reasonable standard, the preference for planned force, and references to the special needs populations.

The Department has now submitted a request to the Chief Executive's Office for \$3.0 million to implement the Commission's recommendation (3.8) to upgrade the Personnel Performance Index ("PPI") as part of a single, reliable and comprehensive computer tracking system. The Department is developing a Custody Automated Reporting and Tracking System ("CARTS") that will be linked to PPI. All data entry for the Custody Division will be done in CARTS and personnel data will be exported automatically to PPI and retained only in PPI.

MANAGEMENT

The Sheriff has extensively re-organized the management of the Department. With the pending retirement of the Undersheriff, who will not be replaced, the Department has four Assistant Sheriffs who will be responsible for overseeing Custody Operations, Patrol Operations, Countywide Services, and Administration & Professional Standards. Each of the Assistant Sheriffs will report directly to the Sheriff. Following the Commission's recommendation, the recently appointed Assistant Sheriff for Custody Operations is responsible for only the Custody Division. The Sheriff also has appointed a Chief of Staff and a Chief of a new Internal Investigations Division, who also report directly to him. The Commander in charge of the new Inspectional Services Command also will report directly to the Sheriff. These steps will help ensure the necessary accountability for the operations of the Custody Division, the Internal Investigations Division, and the Inspectional Services Command.

The Department has now prepared an Implementation Plan and Personnel & Budget Proposal for the Inspectional Service Command based upon the Department's analysis of existing departmental inspections, the work and resources of other police

audit divisions, and an internal Risk Assessment Survey that identified and prioritized areas of concern. The Implementation Plan set forth the steps required for Audit Planning and Execution and for reviews by an Inspectional Review Panel, an 18-month timeline for creating the Inspectional Service Command in four phases, detailed organization charts showing the creation of the command in the four phases, objectives and expected outcomes for each phase. After the Consultants and I conduct a further review, the proposal and funding request will be submitted to the CEO.

CULTURE

The Department has continued to emphasize respect for and communications with inmates through the Force Prevention Policy, the Education Based Incarceration program, and Town Hall meetings. It has enhanced the training of new Custody Division personnel in the principles of the Force Prevention Policy, ethics, and destructive cliques, and it has submitted to the Chief Executive's Office a staffing proposal for a new Custody Division Training Bureau to provide additional training to current Custody Deputy Sheriffs and Custody Assistants. The proposal is now under final review by the Chief Executive's Office. The Department also has established a Dual Track Career Path that provides deputies with opportunities for careers in the Custody Division and has enhanced the penalty guidelines for dishonesty to further address the culture problems identified by the Commission. Finally, each of the Unit Commanders has issued a unit directive providing for the rotation of deputies and Custody Assistants who have regular contact with inmates, taking into consideration the unique configuration and inmate population of each facility.

PERSONNEL AND TRAINING

As noted, the Chief Executive's Office is conducting a final review of the Department's staffing proposal for Custody Division Training Bureau that will develop a robust post-Academy training program. Through the hiring of a new Assistant Sheriff for the Custody Division, the Custody Division Training Bureau, and the Dual Track Career Path, the Department is moving towards the long-term goal of establishing a separate Custody Division staffed by well-trained personnel who want to have a career in Custody. The Department has now frozen 81 Deputy Sheriff positions to be replaced by Custody Assistants to achieve the 35/65 ratio of Custody Assistants to Deputy Sheriffs. The new Assistant Sheriff for the Custody Division has completed her assessment of the supervisory needs of the Custody Division needs, which will be reviewed by the Consultants after the Department provides additional back-up information they have requested.

DISCIPLINE

The Department has agreed to revamp its investigative and disciplinary system, which will increase the number of force investigations by the IAB and require that Administrative Investigations of possible misconduct not be conducted by deputies' supervisors. The Department has submitted proposals to increase the number of IAB and ICIB investigators, which the Consultants evaluated. I submitted the Consultants recommendations for additional IAB and ICIB investigators to the CEO, which is evaluating the Department's funding request. The Department has now put IAB and ICIB in an Internal Investigations Division headed by a Chief who reports directly to the Sheriff; it has enhanced penalties for dishonesty and excessive force; and it precludes

captains from holding in abeyance suspension days off without pay for misconduct involving dishonesty or excessive force.

The Department has responded to the CEO's request for additional information regarding the Department's request for the funding of seven additional Compliance Lieutenants (one for both the North and South facilities and one for each of the other six facilities) to analyze inmate grievances, monitor and track force reviews, and conduct Administrative Investigations of possible deputy misconduct.

The Department is working to enhance the inmate grievance process. It has amended its policies to require Unit Commanders to review all personnel complaints and all complaints of retaliation, which are forwarded to Custody Division headquarters and the Office of Independent Review.

The Department has appointed an Inmate Grievance Coordinator at the rank of lieutenant who will oversee the Department's handling of inmate complaints. The Coordinator will conduct monthly reviews of all units within the Custody Division to ensure compliance with the Department's policies and procedures regarding inmate requests for service and personnel complaints. The Department also intends to audit the inmate grievance system twice a year by Custody Division Commanders and once a year as part of the Command Inspections under the direction of the Division Chief.

The Department is developing a pilot program whereby inmates will have access to IPADS to submit their requests for service and personnel complaints to the Department electronically. The Department has the funding for the pilot program, which is a 90 day proof of concept that it is planning to test in a cell module and a trustee dorm in Men's

Central Jail beginning in October. If successful and funding is available, the Department intends to implement the system Division-wide, possibly within 14 months thereafter.

LOOKING FORWARD

The revisions of the Use of Force Manual should be completed and approved shortly. The Department's funding requests to create the Custody Division Training Bureau is under final review by the CEO. Its request for funding to add seven Compliance Lieutenants to monitor and conduct force investigations, to develop a single, comprehensive and reliable computer tracking system, and for additional resources for IAB and ICIB are under review by the CEO. Over the next month, the Consultants and I will assess the Department's plans for the Inspectional Services Command and requests for additional supervisors. The Consultants and I will then submit our analysis of these requests to the CEO.

Appendix

IMPLEMENTATION OF CCJV RECOMMENDATIONS SUMMARY

		2nd Report	3rd Report	4th Report	5th Report	6th Report
USE OF FORCE	3.1 Comprehensive and easy-to-understand Use of Force policy in single manual	Partial	NC	NC	NC	NC
	3.2 LASD personnel should be required to read and understand the new UOF policy	Implemented	NC	NC	NC	NC
	3.3 LASD personnel should receive training on the new UOF policy	Implemented	NC	NC	NC	NC
	3.4 The Use of Force policy should reflect Force Prevention and anti-retaliation policies	Implemented	NC	NC	NC	NC
	3.5 The Use of Force policy should be based upon objectively reasonable standard	Partial	NC	NC	NC	NC
	3.6 The Use of Force policy should reflect preference for planned, supervised, and directed force	Partial	NC	NC	NC	NC
	3.7 The Use of Force policy should account for special needs populations	Partial	NC	NC	NC	NC
	3.8 LASD should have a single, reliable and comprehensive data tracking system	Not started	NC	NC	In progress	NC
	3.9 Inmate grievances should be tracked in PPI by names of LASD personnel	In progress	NC	NC	NC	NC
	3.10 LASD should analyze inmate grievances regarding use of force incidents	Partial	NC	NC	NC	NC
	3.11 Use of force statistical data must be tracked and analyzed in real time by management	Implemented	NC	NC	NC	NC
	3.12 LASD should purchase additional body scanners	In progress	NC	NC	NC	NC

IMPLEMENTATION OF CCJV RECOMMENDATIONS SUMMARY

NO.	RECOMMENDATION	2nd Report	3rd Report	4th Report	5th Report	6th Report
4.1	Personal engagement by Sheriff in oversight of jails	Implemented	NC	NC	NC	NC
4.2	High level managers must be accountable for failing to address use of force problems	In progress	NC	NC	NC	NC
4.3	The Undersheriff should not have any responsibility for custody or discipline	Implemented	NC	NC	NC	NC
4.4	LASD should create a new Assistant Sheriff position for Custody	In progress	Implemented	NC	NC	NC
4.5	The Sheriff should appoint a new Custody Assistant Sheriff with corrections experience	In progress	Implemented	NC	NC	NC
4.6	The Custody Assistant Sheriff should report directly to the Sheriff	Implemented	NC	NC	NC	NC
4.7	The Commander Management Task Force should not be a part of Custody management	Implemented	NC	NC	NC	NC
4.8	The Sheriff must monitor the use of force in the jails	Implemented	NC	NC	NC	NC
4.9	LASD should utilize the Sheriff's Critical Incident Forum (SCIF) in Custody	Implemented	NC	NC	NC	NC
4.10	Senior management must be more visible in the jails	Implemented	NC	NC	NC	NC
4.11	Operations support should be allocated based unique needs of each facility	In progress	NC	NC	NC	NC
4.12	LASD should created an Internal Audit and Inspection Division under a single Chief	In progress	NC	NC	NC	NC
4.13	LASD should have a policy regarding campaign contributions	In progress	Implemented	NC	NC	NC
4.14	LASD should participate in the Large Jail Network	Implemented	NC	NC	NC	NC

MANAGEMENT

IMPLEMENTATION OF CCJV RECOMMENDATIONS SUMMARY

NO.		RECOMMENDATION	2nd Report	3rd Report	4th Report	5th Report	6th Report
CULTURE	5.1	LASD must emphasize respect for, and communications with, inmates	Implemented	NC	NC	NC	NC
	5.2	Force prevention policy should be stressed in Academy and Custody Division training	Partial	NC	NC	NC	NC
	5.3	Ethics training should be enhanced in Academy and Custody Division training	Partial	NC	NC	NC	NC
	5.4	Custody should be a valued and respected assignment and career	In progress	Implemented	NC	NC	NC
	5.5	Senior leaders must be more visible in the jails	Implemented	NC	NC	NC	NC
	5.6	LASD must have a zero tolerance policy for acts of dishonesty	In progress	NC	Implemented	NC	NC
	5.7	LASD should have a sensible rotation policy	In progress	Partial	NC	Implemented	NC
	5.8	LASD should discourage participation in cliques	Partial	NC	NC	NC	NC

IMPLEMENTATION OF CCJV RECOMMENDATIONS SUMMARY

NO.	RECOMMENDATION	2nd Report	3rd Report	4th Report	5th Report	6th Report
PERSONNEL AND TRAINING	6.1 LASD should revise its policies to reflect Custody's importance to Department	In progress	Partial	NC	NC	NC
	6.2 LASD should develop and implement a long-range and steady hiring plan	Implemented	NC	NC	NC	NC
	6.3 Custody personnel should receive significantly more Custody-specific training	Partial	NC	NC	NC	NC
	6.4 There should be a meaningful probationary period for Custody deputies	Implemented	NC	NC	NC	NC
	6.5 LASD should increase the number of Custody supervisors	Not started	NC	NC	In progress	NC
	6.6 LASD should provide for careers in custody	In progress	Implemented	NC	NC	NC
	6.7 LASD should utilize more custody assistants	In progress	NC	NC	NC	Partial
	6.8 LASD should implement rotations within and among proximate facilities	In progress	Partial	NC	Implemented	NC
	6.9 LASD should change its Mission Statement to reflect importance of Custody	Implemented	NC	NC	NC	NC
	6.10 LASD should create a separate Custody Division	In progress	Partial	NC	NC	NC

IMPLEMENTATION OF CCJV RECOMMENDATIONS SUMMARY

NO.		RECOMMENDATION	2nd Report	3rd Report	4th Report	5th Report	6th Report
DISCIPLINE	7.1	The investigative and disciplinary system should be revamped	In progress	NC	NC	NC	NC
	7.2	The CFRC should monitor force packages	Implemented	NC	NC	NC	NC
	7.3	Preclude deputies from reviewing videos before reporting use of force	Partial	NC	NC	NC	NC
	7.4	Separate deputies involved in significant use of force incidents	Partial	NC	NC	NC	NC
	7.5	Internal Affairs and ICIB should be enhanced and re-organized under a Chief	In progress	NC	Implemented	NC	NC
	7.6	IAB should be appropriately valued	In progress	Partial	NC	NC	NC
	7.7	There should be enhanced penalties for excessive force and dishonesty	In progress	NC	Implemented	NC	NC
	7.8	There should be a Risk Manager assigned to each custody facility	In progress	NC	NC	NC	NC
	7.9	Force investigations should not be conducted by deputies' supervisors	In progress	NC	NC	NC	NC
	7.10	Use of force and dishonesty charges should not be reduced or held in abeyance	In progress	NC	Partial	NC	NC
	7.11	LASD should vigorously investigate and discipline off-duty misconduct	Implemented	NC	NC	NC	NC
	7.12	LASD should have an enhanced system to track force investigations	In progress	NC	NC	Implemented	NC
	7.13	Inmate use of force complaints should be tracked in PPI	In progress	NC	NC	NC	NC
	7.14	LASD should improve the inmate grievance process	In progress	NC	NC	NC	Partial
	7.15	Increased use of Lapel Cameras	In progress	NC	NC	NC	NC
OVERSIGHT	8.2	The Sheriff should regularly report to the Board of Supervisors	Implemented	NC	NC	NC	NC